

MAY 07 2004

OFFICIAL

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : May 7, 2004
Charles T. Rettner et al. : Group Art Unit: 2651
Serial No.: 10/026,029 : Examiner: Glenda P. Rodriguez
Filed: December 18, 2001 : San Jose, California

Title: **OPTICAL APERTURE FOR DATA RECORDING HAVING
TRANSMISSION ENHANCED BY SURFACE PLASMON RESONANCE**

RESPONSE TO OFFICE ACTION OF APRIL 21, 2004

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

Please amend the above-identified application as specified herein.

05/14/2004 SMORE 00000001 090441 10026029

01 FC:1201 86.00 DA

02 FC:1202 36.00 DA

ARC920010114US1

-1-

10/026,029

PTO/SB/21 (08-00)

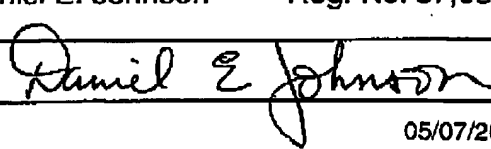
Approved for use through 10/31/2002. OMB 0851-0031


U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/026,029	
	Filing Date	12/18/2001	
	First Named Inventor	Charles T. Rettner et al.	
	Group Art Unit	2651	
	Examiner Name	Glenda P. Rodriguez	
Total Number of Pages in This Submission		Attorney Docket Number	ARC920010114US1

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks <div style="border: 1px solid black; height: 40px; width: 100%;"></div>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Daniel E. Johnson Reg. No. 37,033
Signature	
Date	05/07/2004

CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being transmitted to the U.S. Patent and Trademark Office via facsimile on the date shown below.			
			05/07/2004
Typed or printed name	Cheryl G. Ruby		
Signature		Date	05/07/2004

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PTO/SB/17 (10-01)

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FEE TRANSMITTAL
for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$) **122.00****Complete if Known**

Application Number	10/026,029
Filing Date	12/18/2001
First Named Inventor	Charles T. Rettner et al.
Examiner Name	Glenda P. Rodriguez
Group Art Unit	2651
Attorney Docket No.	ARC920010114US1

METHOD OF PAYMENT

- 1.
- ☒
- The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number	09-0441
Deposit Account Name	IBM CORPORATION

☒ Charge Any Additional Fee Required Under 37 CFR 1.18 and 1.17☐ Applicant claims small entity status. See 37 CFR 1.27

- 2.
- ☐
- Payment Enclosed:

☐ Check ☐ Credit card ☐ Money Order ☐ Other**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)	Fee Code (\$)	Fee Code (\$)		
101	740	201	370	Utility filing fee	
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	

SUBTOTAL (1) (\$) **0.00****2. EXTRA CLAIM FEES**

Total Claims	Extra Claims	Fee from below	Fee Paid
35	-20** = 2	18.00	36.00
7	-3** = 1	86.00	86.00
Multiple Dependent			

Large Entity		Small Entity		Fee Description
Fee Code (\$)	Fee Code (\$)	Fee Code (\$)	Fee Code (\$)	
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) **122.00**

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)	Fee Code (\$)	Fee Code (\$)		
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) **0.00****SUBMITTED BY**

Name (Print/Type)	Daniel E. Johnson	Registration No. (Attorney/Agent)	37,033	Telephone	408-927-3367
Signature	<i>Daniel E. Johnson</i>	Date	05/07/2004		

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PTO/SB/97 (08-00)

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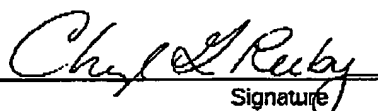
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Cheryl G. Ruby

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each submitted paper.

TRANSMITTAL FORM

FEE FORM

RESPONSE TO OFFICE ACTION DATED APRIL 21, 2004

TOTAL NUMBER OF PAGES SUBMITTED INCLUDING COVER PAGE: 14

SERIAL NUMBER: 10/026,029

FILED: May 7, 2004

INVENTOR: Charles T. Rettner et al.

DOCKET NUMBER: ARC920010114US1

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